

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

December 28, 2021

[Cite as *12/28/2021 Case Announcements, 2021-Ohio-4515.*]

MERIT DECISIONS WITHOUT OPINIONS

2021-1095. Smith-Szarell v. Summit Cty.

In Habeas Corpus, Mandamus, and Quo Warranto. On respondent's motion to dismiss. Motion granted. Relator's motion for stay and motion to show cause and to vacate respondent's petition denied. Respondent's motion to strike, motion to dismiss amendment, and motion to strike document titled "Constitutional Questions" denied as moot. Cause dismissed.

O'Connor, C.J., and Fischer and Brunner, JJ., would deny as moot relator's motion to show cause and to vacate respondent's petition.

DeWine, J., would grant respondent's motion to dismiss amendment.

Donnelly, J., would deny respondent's motion to strike and motion to dismiss amendment.

2021-1361. Martin v. Huck.

In Habeas Corpus. Sua sponte, cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

2021-1364. State v. Jackson.

In Habeas Corpus. Sua sponte, cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

2021-1367. Free Inhabitant Falsely Imprisoned as U.S. Citizen v. Beel.

In Habeas Corpus. Sua sponte, cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

2021-1379. Martin v. Welch.

In Habeas Corpus. Sua sponte, cause dismissed.

O'Connor, C.J., and Kennedy, Fischer, DeWine, Donnelly, Stewart, and Brunner, JJ., concur.

MOTION AND PROCEDURAL RULINGS

2021-1375. State v. Thompson.

Cuyahoga App. No. 109110, 2021-Ohio-3105. On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

O'Connor, C.J., and DeWine and Donnelly, JJ., dissent.

APPEALS ACCEPTED FOR REVIEW

2021-1254. State v. Bortree.

Logan App. No. 8-20-67, 2021-Ohio-2873. Appeal accepted on proposition of law No. I.

O'Connor, C.J., and Donnelly and Stewart, JJ., would accept the appeal on both propositions of law.

Kennedy, Fischer, and Brunner, JJ., dissent.

2021-1355. State v. Thompson.

Hamilton App. Nos. C-200388 and C-200400. Appeal accepted on proposition of law No. II. Sua sponte, cause held for the decision in 2021-0452, *State v. Jackson*.

Kennedy and Stewart, JJ., would accept the appeal on all propositions of law.

Brunner, J., would accept the appeal on all propositions of law and would not hold the cause for *Jackson*.

O'Connor, C.J., and Donnelly, J., dissent.

APPEALS NOT ACCEPTED FOR REVIEW

2021-1007. State v. Fabal.

Franklin App. No. 20AP-86, 2021-Ohio-1793.

2021-1023. State v. Jones.

Summit App. No. 29706, 2021-Ohio-1050.

2021-1145. State v. Bard.

Stark App. No. 2019 CA 00184, 2021-Ohio-742.

2021-1252. State v. Stonitsch.

Hamilton App. No. C-200174, 2021-Ohio-2953.

DeWine, J., dissents.

Fischer, J., not participating.

2021-1253. State v. Chambers.

Adams App. No. 20CA1125, 2021-Ohio-3388.

2021-1255. State v. Reedijk.

Warren App. No. CA2020-12-086, 2021-Ohio-2879.

2021-1257. Horenstein, Nicholson & Blumenthal, L.P.A. v. Hilgeman.

Montgomery App. Nos. 28581 and 28838, 2021-Ohio-3049.

Fischer, J., dissents.

2021-1259. State v. Pember.

Franklin App. No. 19AP-880, 2021-Ohio-2939.

Kennedy, Fischer, and DeWine, JJ., dissent.

2021-1260. State v. Wilson.

Licking App. No. 2021 CA 0011, 2021-Ohio-3192.

2021-1261. State v. Richard.

Marion App. No. 9-20-36, 2021-Ohio-2980.

2021-1263. State v. Artis.

Lucas App. No. L-19-1267, 2021-Ohio-2965.

2021-1264. State v. Crump.

Hamilton App. No. C-190636 and C-190637, 2021-Ohio-2574.

2021-1266. State v. Creech.

Jefferson App. No. 21 JE 0001, 2021-Ohio-3020.

2021-1274. State v. Salyers.

Allen App. No. 1-20-55, 2021-Ohio-2978.

Donnelly and Brunner, JJ., dissent.

2021-1277. Hicks v. Safelite Group, Inc.

Franklin App. No. 20AP-136, 2021-Ohio-3044.

Kennedy and DeWine, JJ., dissent.

2021-1278. State v. Slaughter.

Franklin App. No. 19AP-653.

Brunner, J., dissents.

2021-1283. State v. Williams.

Franklin App. No. 19AP-824, 2021-Ohio-3006.

Donnelly, J., dissents and would accept the appeal on proposition of law Nos. I and III.

2021-1285. State v. Simon.

Gallia App. No. 20CA14, 2021-Ohio-3090.

Fischer, J., dissents and would accept the appeal on proposition of law Nos. II and III.

2021-1286. Franano v. Gemperline.

Delaware App. No. 21 CAE 01 0002, 2021-Ohio-2394.

2021-1289. Briceland v. Briceland.

Columbiana App. No. 20 CO 0027, 2021-Ohio-3161.

2021-1291. State ex rel. Thomas v. Sheldon.

Allen App. No. 1-21-13.

2021-1292. In re K.L.

Portage App. No. 2021-P-0022, 2021-Ohio-3080.

2021-1296. Wells Fargo Bank, N.A. v. Collins.

Cuyahoga App. No. 109555, 2021-Ohio-508.

2021-1302. In re E.G.

Guernsey App. Nos. 20CA12 and 20CA16, 2021-Ohio-917.

2021-1307. State v. Jackson.

Montgomery App. No. 29000, 2021-Ohio-3114.

2021-1314. State v. Webster.

Franklin App. No. 20AP-171, 2021-Ohio-3218.

2021-1321. State v. Peyatt.

Monroe App. No. 21 MO 0001.

2021-1331. State v. Atkinson.

Muskingum App. No. CT2021-0018, 2021-Ohio-3550.

2021-1333. State v. Kirks.

Richland App. No. 2021 CA 0005, 2021-Ohio-3194.

2021-1334. State v. Yerkey.

Mahoning App. No. 20 MA 0087, 2021-Ohio-3331.

Donnelly, J., dissents and would appoint counsel.

2021-1335. In re Guardianship of T.M.D.-D.

Washington App. No. 20CA36, 2021-Ohio-3249.

2021-1341. State v. Pope.

Hamilton App. Nos. C-200317 and C-200324.

2021-1354. State v. Gatewood.

Hamilton App. No. C-190654, 2021-Ohio-3325.

Donnelly, J., dissents and would accept the appeal on proposition of law No. II.

Brunner, J., dissents and would accept the appeal on proposition of law Nos. I, II, and III.

Fischer, J., not participating.

2021-1365. State v. Watson.

Montgomery App. No. 28914, 2021-Ohio-2218.

2021-1370. Asamoah v. Tigerpoly Mfg., Inc.

Franklin App. No. 21AP-488.

2021-1391. State v. Palmer.

Mahoning App. No. 19 MA 0108.

RECONSIDERATION OF PRIOR DECISIONS

2020-0676. O’Neal v. State.

Franklin App. Nos. 19AP-260 and 19AP-289, 2020-Ohio-506. Reported at __ Ohio St.3d __, 2021-Ohio-3663, __ N.E.3d __. On motion for reconsideration. Motion denied.

2020-0683. O’Neal v. State.

Franklin App. Nos. 19AP-260 and 19AP-289, 2020-Ohio-506. Reported at __ Ohio St.3d __, 2021-Ohio-3663, __ N.E.3d __. On motion for reconsideration. Motion denied.

2021-0421. Robinson v. State.

Lorain App. No. 20CA011709, 2021-Ohio-634. Reported at __ Ohio St.3d __, 2021-Ohio-3865, __ N.E.3d __. On motion for reconsideration. Motion denied.

2021-0565. State ex rel. Newell v. Cuyahoga Cty. Court of Common Pleas.

Cuyahoga App. No. 110215, 2021-Ohio-1197. Reported at __ Ohio St.3d __, 2021-Ohio-3662, __ N.E.3d __. On motion for reconsideration. Motion denied.

2021-0917. State ex rel. Majid v. Gallagher.

In Mandamus and Prohibition. Reported at 165 Ohio St.3d 1403, 2021-Ohio-3631, 175 N.E.3d 546. On motion for reconsideration. Motion denied.

2021-0954. State ex rel. Peterson v. Gallagher.

In Procedendo. Reported at 165 Ohio St.3d 1403, 2021-Ohio-3631, 175 N.E.3d 547. On motion for reconsideration. Motion denied.

2021-0986. Daher v. Cuyahoga Community College Dist.

Cuyahoga App. No. 109719, 2021-Ohio-2103. Reported at 165 Ohio St.3d 1425, 2021-Ohio-3730, 175 N.E.3d 573. On motion for reconsideration. Motion denied.

Donnelly and Brunner, JJ., dissent.

2021-0990. Lane v. U.S. Bank, N.A.

Franklin App. No. 20AP-335, 2021-Ohio-1891. Reported at 165 Ohio St.3d 1425, 2021-Ohio-3730, 175 N.E.3d 577. On motion for reconsideration. Motion denied.

2021-1048. State v. Fitz.

Cuyahoga App. No. 109270, 2021-Ohio-1497. Reported at 165 Ohio St.3d 1426, 2021-Ohio-3730, 175 N.E.3d 580. On motion for reconsideration. Motion denied.

Donnelly, Stewart, and Brunner, JJ., dissent.